W.P. No. 1307 (S/S)05:

Hon'ble M.M. Ghildiyal, J.

Heard Sri Shailendra S. Chauhan, learned counsel for the petitioners and Sri M.C. Pandey, learned counsel for respondent nos. 2,3 & 4.

The petitioners who were working as daily wagers in the Sitarganj Sugar Mill Ltd. Udham Singh Nagar have claimed that they have worked in the Mill for the last more than 22-24 years. This writ petition was initially filed by the petitioners with the prayer that their services may be regularised. According to the petitioners, after filing the writ petition the respondents were annoyed with the petitioners and consequently they have removed the petitioners from their services. The order of removal was passed orally by the respondents. Now the petitioners are not in service.

Since the petitioners are not in service, the respondents cannot be directed to regularise the services of the petitioners. So far the oral order of removal passed by the respondents, is concerned, the petitioners have efficacious remedy to challenge the said order of termination before the Labour Court, which is obviously the proper forum for redressal to their grievances.

The writ petition, as such, is dismissed on the ground of alternative remedy.

(M.M. Ghildiyal)

28.10.2005:
NCM: